

Claim Status

Claims 1-8 are active in the case. Claims 9-10 have been cancelled by amendment.

REASONS FOR ALLOWANCE

The following is an examiner's statement of reasons for allowance: The instant invention of a kit for the treatment of retinitis pigmentosa using the specific combination of the enzymes recited in the sequence and timing recited was not found in the prior art.

The rejection under 35 USC 112, second paragraph, over the precise meaning of the term "physiological solution" is overcome by the clear explanation and submissions in applicants' remarks submitted 30 April 2008. As well, applicants' amendments to the claims obviate the rejection under 35 USC 112, second paragraph, over the relationship between the lyophilized form of the enzyme and the physiological solution being supplied with the kit.

The rejections of the claims under 35 USC 101 is obviated with the removal of the "use" language and the recital of positive method steps.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lisa J. Hobbs whose telephone number is 571-272-3373. The examiner can normally be reached on Monday to Friday, 8:00 a.m. to 4:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jon P. Weber can be reached on 571-272-0925. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Lisa J. Hobbs/
Primary Examiner
Art Unit 1657

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